

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
January 23, 2004

The Domestic Relations Committee met at the Indiana Judicial Center in Indianapolis, Indiana on Friday, January 23, 2004 from 10:30 – 3:00 p.m.

1. Members present. David C. Chapleau, Thomas J. Felts, Diana LaViolette, Mary Margaret Lloyd, Richard G. Striegel, and Michael P. Scopelitis, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Guests present. Donna Bays, Chair, Family Law Section, ISBA; Karlia Mantia, Director and Daphne Risch, Asst. Dir., Child Support Bureau, FSSA; Steve Johnson, Executive Director, Prosecuting Attorneys Council; Mike Gotsch, Chief Deputy Prosecutor, St. Joseph County; Mike McAlexander, Chief Deputy Prosecutor, Allen County; Lindsey Holloway, Division of State Court Administration; and Craig Bobay, Magistrate, Allen County.
4. Minutes approved. The minutes from the October 17, 2004 were approved.
5. Child Support Guidelines.
 - a. Steve Johnson expressed concern prosecutors would not be reimbursed for time spent on parenting time issues and the parenting time credit in IV-D cases. He explained states only receive monies for child support collection and not litigation of parenting time issues. He wanted to establish a rebuttable presumption in IV-D cases of 52 overnights for support in SB 46. Mike Gotsch expressed concern a IV-D child support order at a lower income level would be reduced by the parenting time credit and not practically reviewed. Committee members agreed “prepare” and “present” could be removed from p. 5, line 12 of SB 46 and wording on p. 16 to clarify that IV-D prosecutors do not have to assist litigate parenting time issues. This would assist IV-D prosecutors in their efforts to prevent loss of federal reimbursements for IV-D cases.
 - b. Lindsey Holloway reported the Division of State Court Administration is finalizing their contract with Egov Strategies to develop a “wizard” and a “quick-ad” on-line child support calculator. March 4 is their proposed launch date. The calculator will print the worksheets. The committee suggested the worksheet leave space for deviations. The committee agreed to test the calculator for the February 20 meeting when given the website. In addition, the members of the committee urged the Division of State Court Administration to develop a stand alone child support calculator since few courts have internet access on the bench.
6. On-line portal. Lindsey Holloway distributed a copy of a “portal” page to members of the committee. She gave an overview of the portal and explained students would prepare a “beta-test” version of a portal for use with JTAC’s case management system. Committee members agreed to assist as needed.

7. Review of Annual Report for \$20.00 ADR fee.
 - a. Jeffrey Bercovitz reviewed questions submitted to the committee about the annual report on collection of the \$20.00 fee in counties with ADR plans.
 - b. Jeffrey Bercovitz distributed annual reports received by the Judicial Center from the various programs.
 - c. Committee members made revisions to the annual report form. They agreed to review them at the next committee meeting.
8. New committee project. Committee members tabulated the results of a survey by Judge Scopelitis, Chair for the next committee project. The committee agreed to prepare a Domestic Relations Benchbook, which could incorporate other ideas in the survey. Jeffrey Bercovitz distributed an outline prepared when the committee looked at this topic many years ago for review at the next meeting.
9. Academic studies. The Domestic Relations Committee agreed to participate in two academic studies: Dr. David Betson's study of child support awards with the new parenting time credit if funding is available, and a study conducted by Karla Mantia, Indiana University, on best practices in the collection of child support in Indiana. It would be funded with a from a State Improvement Project grant administered by the Child Support Bureau, FSSA.
10. Other business.
 - a. Donna Bays, Chair, Family and Juvenile Law Section, ISBA reported the section would hold a roundtable discussion at their meeting in April in conjunction with the State Bar Association Meeting. She also said the new child support guidelines will be printed along with the parenting time guidelines in a booklet and distributed to all members of the section and judges.
 - b. Jeffrey Bercovitz distributed recent legislation to committee members.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law